

Forty-ninth Legislature
First Regular Session

COMMITTEE ON JUDICIARY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2063

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-902, Arizona Revised Statutes, is amended to
3 read:

4 **13-902. Periods of probation; monitoring; fees**

5 A. Unless terminated sooner, probation may continue for the following
6 periods:

- 7 1. For a class 2 felony, seven years.
8 2. For a class 3 felony, five years.
9 3. For a class 4 felony, four years.
10 4. For a class 5 or 6 felony, three years.
11 5. For a class 1 misdemeanor, three years.
12 6. For a class 2 misdemeanor, two years.
13 7. For a class 3 misdemeanor, one year.

14 B. Notwithstanding subsection A of this section, unless terminated
15 sooner, probation may continue for the following periods:

- 16 1. For a violation of section 28-1381 or 28-1382, five years.
17 2. For a violation of section 28-1383, ten years.

18 C. When the court has required, as a condition of probation, that the
19 defendant make restitution for any economic loss related to the defendant's
20 offense and that condition has not been satisfied, the court at any time
21 before the termination or expiration of probation may extend the period
22 within the following limits:

- 23 1. For a felony, not more than five years.
24 2. For a misdemeanor, not more than two years.

25 D. Notwithstanding any other provision of law, justice courts and
26 municipal courts may impose the probation periods specified in subsection A,
27 paragraphs 5, 6 and 7 and subsection B, paragraph 1 of this section.

1 E. After conviction of a felony offense or an attempt to commit any
2 offense that is included in chapter 14 or 35.1 of this title or section
3 13-2308.01, 13-2923 or 13-3623, if probation is available, probation may
4 continue for a term of not less than the term that is specified in subsection
5 A of this section up to and including life and that the court believes is
6 appropriate for the ends of justice.

7 F. After conviction of a violation of section 13-3824, subsection A,
8 if a term of probation is imposed and the offense for which the person was
9 required to register was a felony, probation may continue for a term of not
10 less than the term that is specified in subsection A of this section up to
11 and including life and that the court believes is appropriate for the ends of
12 justice.

13 G. After conviction of a dangerous crime against children as defined
14 in section 13-705, if a term of probation is imposed, **THE PERSON IS REQUIRED**
15 **TO REGISTER PURSUANT TO SECTION 13-3821 AND THE PERSON IS CLASSIFIED AS A**
16 **LEVEL THREE OFFENDER PURSUANT TO SECTIONS 13-3825 AND 13-3826**, the court
17 shall require global position system OR ELECTRONIC monitoring for the
18 duration of the term of probation. The court may impose a fee on the
19 probationer to offset the cost of the monitoring device required by this
20 subsection. The fee shall be deposited in the adult probation services fund
21 pursuant to section 12-267, subsection A, paragraph 3. **THIS SUBSECTION DOES**
22 **NOT PRECLUDE GLOBAL POSITION SYSTEM OR ELECTRONIC MONITORING OF ANY OTHER**
23 **PERSON WHO IS SERVING A TERM OF PROBATION."**

24 Amend title to conform

and, as so amended, it do pass

ADAM DRIGGS
Chairman

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